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PATENT

In Re the Application of:

WILLIAM R. BARCLAY

Serial No.: 07/580,778

Filed: September 11, 1990

Atty. File No.: 2391-1

For: "PROCESS FOR THE HETER-  
OTROPHIC PRODUCTION OF  
MICROBIAL PRODUCTS WITH  
HIGH CONCENTRATIONS OF  
OMEGA-3 HIGHLY UNSAT-  
URATED FATTY ACIDS"

Group Art Unit: 132

Examiner:

PETITION TO MAKE SPECIAL

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

Applicant hereby petitions the Commissioner to make the above-identified application special pursuant to the Commissioner's announcement published in 1092 O.G. 55. Inventor Barclay is the President of Phycotech, Inc., a Colorado corporation having small entity status. An assignment of the invention from William R. Barclay to Phycotech, Inc. and a Verified Statement (Declaration) claiming Small Entity Status were filed concurrently with the above-identified application.

The subject matter of the above-identified application is a major asset of Phycotech, Inc. The development of the technology disclosed by the application will be significantly impaired if examination of the application is delayed.

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CERTIFICATE OF MAILING I HEREBY CERTIFY THAT THIS  
CORRESPONDENCE IS BEING DEPOSITED WITH THE  
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ON THIS 16<sup>TH</sup> DAY OF OCTOBER 19 90

SHERIDAN, ROSS & MONTGOMERY  
BY Laruea Bettington

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Future business development of the company is in part predicated on patent protection to proceed with the further development of the disclosed organisms and methods of making and using them. Because the corporation is in its infancy, it is important for it to be able to disclose its technology to potential investors, licensees or joint venture partners with confidence in its proprietary position, in order to further develop and use the technology. The nature of the technology is such that, once disclosed, it is readily duplicated. Many uses of the technology are readily adaptable to being maintained in secret, especially by large entity competitors who do not need investors, licensees, or joint venture partners. For all of these reasons, future development of the company and of the technology will be significantly impaired if the examination of the patent application is delayed.

Pursuant to 37 C.F.R. §1.17(i)(2), the requisite \$80.00 filing fee is enclosed. Please credit any overpayment or debit any underpayment to Deposit Account No. 19-1970.

Respectfully submitted,

SHERIDAN, ROSS & McINTOSH

Date: October 16, 1990

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